

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-3019-01-CR-S-RED
)	
EDWARD L. RAIFSNIDER,)	
)	
Defendant.)	

ORDER

Before the Court is Defendant's Motion to Dismiss Counts IV and V (Doc. 36), the Government's Response (Doc. 40), Defendant's Reply (Doc. 41), and the Report and Recommendation of the United States Magistrate Judge (Doc. 76). After careful and independent review of the pending motion, the government's response, the Defendant's reply, and the applicable law, this Court agrees with and **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Doc. 76) in its entirety. This Court **DENIES** Defendant's Motion to Dismiss Counts IV and V (Doc. 36).

IT IS SO ORDERED.

DATED: January 13, 2010

/s/ Richard E. Dorr
RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT